

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

KESHA STEWART,
individually and as the natural mother
and next friend of B.E.S., I.N.S.,
and A.D.S.,

Plaintiff,

v.

CASE NO. 5:10-cv-0012-PWG

ALABAMA DEPARTMENT OF HUMAN
RESOURCES, STATE OF, et al.,

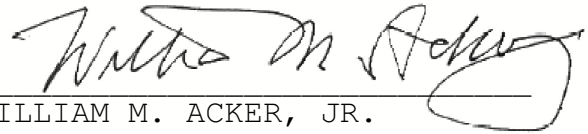
Defendants.

MEMORANDUM OPINION AND ORDER

The magistrate judge filed a report and recommendation on August 2, 2012 (doc. 26), recommending that defendants Vonda Gilliam, Leigh Ann Jackson, and Angela Mayberry's motion to dismiss the second amended complaint (doc. 23) be GRANTED. It also recommended that defendants' motion to dismiss plaintiffs' first amended complaint (doc. 15) be found as MOOT. The parties were allowed an opportunity in which to file objections. No objections have been received from either party.

Having carefully reviewed and considered *de novo* all the materials in the court file, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Defendants' motion to dismiss the first amended complaint (doc. 15) is MOOT. Defendants' motion to dismiss the second amended complaint (doc. 23) is due to be and hereby is GRANTED.

As to the foregoing it is SO ORDERED this the 20th day of August, 2012.

A handwritten signature in black ink, appearing to read "William M. Ackers, Jr.", written over a horizontal line.

WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE